GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department – Departmental proceedings initiated against Sri K. Adinarayana, A.R.S.I.-370, 6th Bn, A.P.S.P., Mangalagiri now retired from service on 31.05.2021 – OEPR forwarded for disposal as per Rule 9 (2)(a) of AP Revised Pension Rules, 1980 - Drop further action - Orders - Issued.

HOME (SERVICES.II) DEPARTMENT

G.O.Rt.No.637 **Dated:08.07.2022.**

Read the following:-

1) From the Hon'ble High Court of Andhra Pradesh, Amarvathi order dated 26.04.2021 in WP No.20781 of 2019.
2) Government Memo.No.1442654/Ser-II/A2/2021, Home (Ser.II) Department, dated 11.08.2021.
3) From the Director General of Police, A.P., Mangalagiri letter Rc.No. 703/T3/2021, dated 02.06.2022.

***

ORDER:

In the letter 3rd read above, the Director General of Police, A.P., Mangalagiri has stated that Sri K.Adinarayana, ARSI, 370, 6th Bn., APSP, Mangalagiri (f) ARSI-1263 of 3rd Bn., APSP, was dealt with on major charge under Rule 20 of A.P.C.S (CC&A) Rules 1991, by the DIG-IV, APSP Bns, Mangalagiri., vide RC.No:10/DE PR/2015, dated.24.06.2015 for the following delinquency:-

Major Charge:

Article:- Sri K.Adinarayana, ARSI 1263 of 3rd Bn., APSP while working in Greyhounds as in-charge of the Dog squad, he has not accounted for 198.04 kgs of Dog feed and inflated the figure of Dog feed issued to the dogs on day to day basis. Thus, he exhibited gross negligence of duty and misconduct and misbehaviour".

Basis of Charge:-

Sri K.Adinarayana, ARSI 1263 of 3rd Bn., APSP Kakinada has failed to perform his legitimate duties as in charge of the Dog squad while in Grey hounds. As per mentioned records available in Dog squad for the past one year. Total purchased 1098 Kgs of Dog feed during the period from 27.12.2013 to 04.11.2014 and issued only 899.960 kgs of Dog feed. The balance stock is 198.04 kgs dog feed has not accounted and inflated the figures of dog feed issued to the dogs on day to day basis and he has not maintained records of stock purchase, utilization, and balance of dog feed belonging to dog squad properly. At the time of his reliving on repatriation to his parent unit he has not handed over the stock balance of 198.04 kgs dog feed, any government property like article, and records to his successor.

Thus Sri K.Adinarayana, ARSI 1263 of 3rd Bn., APSP Kakinada is being an Government Servant of the disciplined force, has exhibited gross misconduct and misbehaviour and irresponsible of his legitimate duties as in charge of Dog Squad and thereby violated rule (3) of APCS conduct Rules 1964.

2. The charged ARSI was placed under suspension on 15.05.2015 and released from suspension on 18.03.2016 FN. The Commandant 14th (IR) Bn., APSP, Ananthapuramu who was appointed as inquiry Officer conducted the enquiry and submitted his findings held the charge **"Proved"** on 06.07.2016.

Pto..

3. The Dy. Inspector General of Police-IV, APSP Bns, Mangalagiri duly following the procedure laid down in the APCS (CC&A) Rules 1991, had imposed the punishment of " PPI for a period of two years with effect on his future increments and pension" the suspension period (308) days from 15.05.2015 to 18.03.2016 FN treated as "not on duty" vide proceedings Rc.No.10/0E.PR/2015-19 (ROO.No.61/ 2019) dt. 29.03.2019, as also confirmed by the IGP, APSP Bns, Amaravathi vide Rc.No.A3/06/Appeal/ 2019 (H.O.O.No.524/2019) dt.30.09.2019.

4. Aggrieved by the above orders, the Charged ARSI filed the WP. No.20781/ 2019 before the Hon'ble High Court of A.P., with a prayer to set-aside the impugned orders issued by Deputy Inspector General of Police-IV, APSP Battalions, Mangalagiri Proceedings dated.29.03.2019 and also Proc. dated:30.09.2019 of the Inspector General of Police, APSP Bns.

5. The Hon'ble High Court of Andhra Pradesh, Amaravathi has issued orders vide reference 1st read above in W.P.No.20781/2019 that the WP is allowed by setting aside the Proc dated:29.03.2019 of the DIG-IV, APSP Bns., order of the Commandant 6th Bn., APSP dated.20.05.2019 and also proceedings, dated. 30.09.2019 of the Inspector General of Police, APSP Bns. The enquiry is remitted back to the DIG-IV, APSP Battalions, who is the enquiry authority for conducting enquiry afresh within three months strictly adhering to rule 20 and 21 of APCS (CC&A) rules, 1991.

6. The Director General of Police, A.P., Mangalagiri has further stated that the Commandant, 3rd Bn., APSP, Kakinada who was appointed as Inquiry officer conducted the enquiry and submitted his findings held the charge **"Proved"** on dated 05.02.2022. On the show cause notice dated:22.02.2022, the Charged ARSI 370 (Retd) has submitted his explanation on dated.14.03.2022.

7. The Deputy Inspector General of Police-III, APSP Bns., Kumool HAC of DIG-IV, APSP Bns., Mangalagiri has stated that on re-enquiry it is reveals that the Inquiring Authority has held only two points as **proved** out of 4 points i.e., 1) there is not sufficient evidence to prove that the charged officer didn't account for 198.04 kgs dog feed. 2] there is not sufficient evidence to prove that the charged officer inflated dog feed on days by day basis, 3] there is sufficient evidence to prove that the charged officer has not maintained record of stock purchase, utilization and balance of dog feed belonging to dog squad properly; and 4) at the time of his reliving on repatriation to his parent unit, he didn't hand over any Government property like articles and records to his successor.

8. The Director General of Police, A.P., Mangalagiri while forwarding the proposal of the DIG-III, APSP Bns, Kurnool HAC of DIG-IV, APSP Bns, Mangalagiri, along with OEPR record initiated against Sri K.Adinarayana, ARSI, 370, 6th Bn., APSP, Mangalagiri has requested the Government to dispose the OEPR under Rule 9(2)(a) of Andhra Pradesh Revised Pension Rules, 1980, being a competent authority, as the Charged ARSI was retired from service on superannuation on 31.05.2021.

9. Government have examined the entire matter in detail, keeping in view the re-enquiry report of the Enquiry Officer and decided to 'Drop further action' besides treating the " the suspension period (308) days from 15.05.2015 to 18.03.2016 FN as "on duty" against Sri K.Adinarayana, ARSI, 370, 6th Bn., APSP, Mangalagiri who retired from service on 31.05.2021, under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980.

10. Accordingly, Government hereby **'Drop further action'** besides treating the suspension period **from 15.05.2015 to 18.03.2016 FN** as **'On Duty'** against Sri K.Adinarayana, ARSI, 370, 6th Bn., APSP, Mangalagiri (now retired) under Rule 9(2) (a) of A.P. Revised Pension Rules, 1980, as a special case.

11. The Director General of Police, Andhra Pradesh is requested to take necessary further action in the matter accordingly. The records received through the letter read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Mangalagiri
(w.e - Records in original)
The individual through the Director General of Police, Mangalagiri.
Copy to:
The Accountant General of Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Krishna District.
The DIG-III, APSP Bns, Kurnool HAC of DIG-IV, APSP Bns, Mangalagiri.
The Government Pleader for Ser.I, High Court of A.P., Amaravathi.
SF/SC.

//Forwarded :: By Order//

SECTION OFFICER.